

**AGENDA**  
**CITY OF WHARTON**  
**Regular City Council Meeting, City Hall**  
**7:00 p.m., Monday, August 14, 2006**

1. **Call to Order – Opening Devotion – Pledge of Allegiance.**
2. **Roll Call and Excused Absences.**
3. **Public Comments.**
4. **Wharton Moment.**
5. **Review & Consider:** Reading of the minutes from the regular meetings held July 10, 2006 and July 24, 2006 and the special meetings held July 3, 2006 and July 31, 2006.
6. **Review & Consider:** Request by Mr. Jim Faetche for City Council consideration to cover Wharton Municipal Pool.
7. **Review & Consider:** Request by Dr. Gregg J. Dimmick, M.D., Chairman, Gala Committee, East Wharton County Habitat for Humanity for the following City assistance during the Habitat for Humanity Gala to be held October 28, 2006:
  - A. Use of Wharton Civic Center tables and linens to seat 500 participants.
  - B. Request restroom facilities from Waste Management.
  - C. Closure of Milam, Fulton, Houston, and Burleson Streets from 5:30 p.m. to 9:30 p.m. October 28, 2006.
  - D. Closure of Houston Street from 7:00 a.m. to 10:00 a.m. on October 28, 2006 and October 29, 2006.
  - E. Provide the City stage and personnel to set up and dismantle the stage.
  - F. Provide electricity for the event.
  - G. Provide Security during the event.
  - H. Request for a variance from the City of Wharton Code of Ordinances, Chapter 30 Fire and Prevention, Article V. Fireworks, Section 30-132 Prohibited Acts and allow a fireworks display at Riverfront Park.

- I. Waive fee for use of Wharton Civic Center Main Hall for October 28, 2006.
  - J. Proclaim October 28, 2006 as Habitat for Humanity Day in Wharton, Texas.
8. **Review & Consider:** Recommendation by the Planning Commission for City Council consideration of the request by Geo Solutions, Ltd., on behalf of Wharton Retail, Ltd. for approval of the preliminary/final re-plat of a 2.0000-acre tract of land situated in the A. Jackson Timber League, Abstract 34, Block 1, Reserves “A” and “B”.
9. **Review & Consider:** City of Wharton Floodproofing Project:
- A. Presentation by the Lower Colorado River Authority and the U.S. Army Corp of Engineers regarding the Recommended Plan for the City of Wharton Floodproofing Project.
  - B. **Resolution:** A resolution of the Wharton City Council approving the Recommended Plan for the City of Wharton Floodproofing Project.
10. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council approving an interlocal agreement between Wharton County and the Cities of Wharton and East Bernard, and the Counties of Austin, Colorado, Fort Bend, and Brazoria to provide in-kind services for the Watershed Study of the San Bernard River and authorizing the Mayor of the City of Wharton to execute the agreement.
11. **Executive Session:** City Council may adjourn into an Executive Session in accordance with Sections 551.072, 551.074 and 551.087 of the Government Code, Revised Civil Statutes of Texas. Final action, decision or vote, if any with regard to any matter considered in Executive Session shall be made in Open Meeting:
- A. **Discussion:** Acquisition of real estate from Mr. Benedict L. Hundl for the Santa Fe Drainage Outfall Channel Project.
  - B. **Discussion:** Acquisition of real estate for City facilities.

- C. **Discussion:** Economic Development Incentives for Buc-ee's, LTD.
- D. **Discussion:** City Manager Performance Evaluation.

12. **Return to Open Meeting:** Action on items discussed in Executive Session:

- A. **Review & Consider: Ordinance:** An ordinance declaring a public necessity for the acquisition of a certain 0.9624 acre tract of land tract located in the Randell Jones ½ League, Abstract No. 36, being a portion of a called 59.717 acre, conveyed to Benedict L. Hundl; for a public purpose, namely the acquisition, improvement and maintenance of the Santa Fe Drainage Outfall Channel Project; and authorizing the City Manager to proceed with acquisition of said property, ratifying and affirming all prior acts and proceedings done or initiated by the City Staff to acquire such property.
- B. **Review & Consider:** Acquisition of real estate for City facilities.
- C. **Review & Consider:** Economic Development Incentives for Buc-ee's, Ltd.
- D. **Review & Consider:** City Manager Performance Evaluation.

13. **Review & Consider:** Buc-ee's, Ltd. Project:

- A. **Resolution:** A resolution of the Wharton City Council approving an application for funding through the Texas Department of Agriculture, Texas Capital Fund for Infrastructure Improvements along US Highway 59 at FM 102 and authorizing the Mayor of the City of Wharton to execute all documents related to the application.
- B. **Resolution:** A resolution of the Wharton City Council approving a Sales Tax Rebate Agreement between Buc-ee's, Ltd. and the City of Wharton and authorizing the Mayor of the City of Wharton to execute the agreement.
- C. **Resolution:** A resolution of the Wharton City Council approving an administrative

management services contract with the Ruiz Companies for the Buc-ee's, Ltd. Project and authorizing the Mayor of the City of Wharton to execute the agreement.

**14. Review & Consider:**

City of Wharton Emergency Medical Services (EMS):

- A. City Council acceptance of the \$41,900.00 grant award from the M.G. and Lillie A. Johnson Foundation, Inc.
- B. City of Wharton Ambulance Chassis:
  - 1. Bid Tabulation.
  - 2. **Resolution:** A resolution of the Wharton City Council awarding Von-Wil Ford, Wharton, Texas, for the City of Wharton One 2007 One Ton Ambulance Chassis and authorizing the Mayor of the City of Wharton to execute all documents relating to said contracts.
- C. **Resolution:** A resolution of the Wharton City Council approving an addendum to the Mutual Aid Agreement for Emergency Medical Services between Fort Bend County and the City of Wharton and authorizing the Mayor of the City of Wharton to execute the agreement.

**15. Review & Consider:**

**Resolution:** A resolution of the City of Wharton, Texas, designating a Public Information Coordinator to satisfy the Training Requirements of the Texas Government Code; Section 552.012.

**16. Review & Consider:**

Recommendation by the Wharton City Council Finance Committee:

- A. **Resolution:** A resolution of the Wharton City Council approving an interlocal contract with the Texas Municipal League – Intergovernmental Employee Benefits Pool (TML-IRP) for group hospitalization, long-term disability, life, accidental death & dismemberment coverage; and Assurant Employee Benefits for dental coverage for City employees; authorizing the

Mayor of the City of Wharton to execute all documents relating to said contracts.

- B. **Resolution:** A resolution of the Wharton City Council approving an interlocal agreement contract with the Texas Municipal League Intergovernmental Risk Pool (TML-IRP) for property & casualty and workers' compensation coverage for the City of Wharton; authorizing the Mayor of the City of Wharton to execute all documents relating to said contract.

17. **Review & Consider:** Request by the Public Works Department to purchase two 1992 White GMC Dump Trucks, No.s' 18-5154-E and 18-5155-E, from the Texas Department of Transportation in the amount of \$26,000.00.
18. **Review & Consider:** Request by Mr. Brandon Cruz on behalf of the Wharton Masonic Lodge #621 for the following:
- A. Use of Riverfront Park to hold a Bar-b-que Cook-off Friday, September 15, 2006 through Saturday, September 16, 2006.
  - B. Variance from the City of Wharton Code of Ordinances, Chapter 54 Parks and Recreation, Section 54-2 Operating or parking motor vehicles in parks.
  - C. Variance for the City of Wharton Code of Ordinances, Chapter 54 Parks and Recreation, Section 54-7 Hours of use of city parks.
  - D. Approval of the Temporary Permit for the Consumption/Possession of Alcoholic Beverages in City Parks from 6:00 a.m. September 15, 2006 through 6:00 p.m. September 16, 2006.
19. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council approving the terms and conditions of an interlocal agreement between the Region IV Education Service Center, which sponsors the Cooperative Purchasing Network (TCPN), Providing for a Cooperative Purchasing Program for Goods and Services; Designating City Manager Andres Garza, Jr. as the official representative of the City of Wharton relating to the program and

- authorizing the Mayor of the City of Wharton to execute the agreement.
- 20. Review & Consider:** City Council acceptance of the letter of resignation of Mr. Eric B. Johnson as a member of the Wharton Regional Airport Board.
- 21. Review & Consider:** Southern Pacific Railroad Depot Restoration Project Pay Request No.12 by A & A Constructors, Inc.
- 22. Review & Consider:** City Council Committees, Boards and Commission's Reports:
- A. Wharton Economic Development Corporation meeting held July 25, 2006.
  - B. Wharton Regional Airport Consultant Selection Committee meeting held August 1, 2006.
  - C. City Council Legislative Committee meeting held August 1, 2006.
  - D. Wharton Regional Airport Board meeting held August 1, 2006.
  - E. Planning Commission meeting held August 7, 2006.
  - F. City Council Finance Committee meeting held August 8, 2006.
  - G. Beautification Commission meeting held August 9, 2006.
  - H. Texas Municipal League Legislative Policy Subcommittee on Utilities.
- 23. Adjournment.**